

Jorge Palacios P28961, D-17-B-103
Name and Prisoner/Booking Number
Mule Creek Infill Complex (MCC) State Prison
Place of Confinement
4001 Highway 104
Mailing Address
June CA 95640
City, State, Zip Code

FILED

JUN 23 2025

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEB TO CLERK 135

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Jorge Palacios
(Full Name of Plaintiff) Plaintiff,

v.

(1) W. Vaughn,
(Full Name of Defendant)
(2) Deehti Surineni
(3) E. Pedersen
(4) _____
Defendant(s).
☐ Check if there are additional Defendants and attach page 1-A listing them.

CASE NO. 2:25-cv-0114 JDP (PC)
(To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

☐ Original Complaint
☒ First Amended Complaint
☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

- ☐ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
☐ Other: _____

2. Institution/city where violation occurred: Mule Creek Infill Complex, June CA

B. DEFENDANTS

1. Name of first Defendant: W. Vaughn. The first Defendant is employed as:
M.D., Chief Physician & Surgeon at MCIC-Health-Care D-Yard.
(Position and Title) (Institution)
2. Name of second Defendant: Deeghti Surineni. The second Defendant is employed as:
Physician and Surgeon, my P.C.P. at MCIC Health-Care D-Yard.
(Position and Title) (Institution)
3. Name of third Defendant: E. Pedersen, Associate Warden. The third Defendant is employed as:
Associate Warden (Custody) at MCIC-D-Yard.
(Position and Title) (Institution)
4. Name of fourth Defendant: _____. The fourth Defendant is employed as:
_____ at _____.
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: Jorge Palacios v. Kevin Smith
 2. Court and case number: U.S. District Court, Eastern District of California, 2:17-cv-02800-TLN
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?)
Dismissed yes but was dismissed again
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION**CLAIM I**

1. State the constitutional or other federal civil right that was violated: Eighth Amendment, by negligence or deliberate indifference, violated my ADA and Rehabilitation Act right, denied benefits, med. services, subject to me to discrimination

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>Transfer to CMC-East in Sullivan County</u> | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

In MCIC, Mr. E. Pedersen violated my prisoner rights of take in consideration my needs, interest, and desires, when denied my transfer to a higher degree of medical care to CMC-East according with my medical needs, necessary treatment and advanced age 72 years. By custody Mr. E. Pedersen, by health-care Deeplite Surineni, my P.S.P., and by Dr. Vaughn, Med. Chief, Violating my rights life with parole possibility to be housed in a facility level II or III as CMC-East despite I state reason for preferring CMC-East but was denied without reasons abuse of discretion, plus causing me an unusual hardship due my family ties to a particular area. I'm prone for a third heart attack due my high-risk med. condition, I require treatment and continuing medical or nurse attention and medications, sometimes even hospitalization (hospital) cardio specialist; single cell status with solid door, not available in MCIC, rural prison, plus to remote from hospitals. I did ten (10) years in CMC-East, the last three in single cell to my safety due my vulnerability #7 for contagion, and unable to protect my self. In CMC-East save my life from (2) two heart attacks (cancer Hodgkin's lymphoma and other illness) Mr. E. Pedersen violated my right of confidentiality because my medical history is in tablet at reach of any body. I serve long sentence I may requiring transfer to CMC-East, security level II and III override due my totally disabled, mobility impaired, prone for a third heart attack or stroke. Plus violated my right for denied my access to vocational small engines repair, auto body, multiple rehabilitative and recreational programs, social workers, urologist, not available in MCIC, rural prison where exist Sick Building Syndrome that causing to me breath difficult, chest pain due the monoxide, excessive cold temperature in air conditioning, further more the water are contaminate since long time ago, become my time in prison in cruel and unusual punishment, that not is part of my sentence.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Branchial irritation, Sick building Syndrome exposed as well to excessive cold in dorm that result in air ways and breath problems exacerbate my arthritis pain and long covid sequelae, plus chest pain as heart attack symptom, exposed to second hand smoke and chemicals without control in spray, hazardous corrupt air conditioning, exposed to contaminate water, communicable illness.

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim I to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM II

1. State the constitutional or other federal civil right that was violated: Eighth Amendment, by negligence or deliberate indifference to my prisoner's serious medical needs constitute a cruel and unusual punishment.

2. **Claim II.** Identify the issue involved. Check only one. State additional issues in separate claims.

- ☐ Basic necessities ☐ Mail ☐ Access to the court ☐ Medical care
☐ Disciplinary proceedings ☐ Property ☐ Exercise of religion ☐ Retaliation
☐ Excessive force by an officer ☐ Threat to safety ☒ Other: Health-care transfer to MC-East, S. Po.

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

Like person in danger I may request a higher degree of health-care transfer to another truthful medical facility like MC-East to protect my health and life. MC-East attributes has single cell status program, General Acute Care Hospital (GACH) hospice, promptly, adequate handle of emergencies, reasonable medical services to protect my health and life, prevent significant illness or disability, and allow to be primarily skilled professional nurses to male patients, and has care guides for many common illness chronic conditions and injuries, social workers services, appropriate forensic medical examinations, Inmate Disability Assistance Program (IDAP) to help disabled persons even to clean the cell; specialty hospitals at (2) two miles of distance, in MC-East do not mixing mental ill (For) with General Population, not more valley fever, MC-East is not risk for me. MC-East has small engine repair and body shop vocational; multiple therapy and support group and rehabilitative groups. In MC-East GACH save my life because I get adequate health-care, adequate emergencies and treatments, Cardiology hosp. two miles from MC-East, I remain in (3) three month in MC's hospital due the severity of my med. condition, in accordance with Eighth Amendment. I take immediate action because in this rural Meic don't exist all this services; medical care vocational, housing conditions with adequate ventilation oxygen, emergencies system, IDAP, social workers neurologist, cardiologist, dietitian, X-ray etc at reach of prisoners; don't delay med. consultations; inmate don't mixing mental ill with G.P. that provoking troubles. In MC-East, the water is not contaminated (like in MC-CR). W. Vaughn and Deepthi Surinani denied my health care transfer and even evaluation for Compassionate Release by saying they allege that I don't need high degree of health-care nor qualify for compassionate release, I'm totally disabled, med. high-risk. I feeling discriminated by disability plus denied my request that all person, including prisoners receive equal protection; I drove even antiulcer gastric pills chlorpheniramine 8mg to mitigate my breath problems.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Emotional distress, fearful of die by heart attack, hopeless, frustration, insomnia, significant worry, depression by hazardous risk exposed in corner" desprado, hopeless, every year denied my health-care transfer, mental exhaust (burnout) two years of suffering because delay for an inguinal painful hernia surgery that provoke even suicidal thoughts.

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- b. Did you submit a request for administrative relief on Claim II? ☒ Yes ☐ No
- c. Did you appeal your request for relief on Claim II to the highest level? ☒ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM III

1. State the constitutional or other federal civil right that was violated: Eighth Amendment, negligence or Deliberate Indifference, plus my rights of equal protection, and discrimination by my disability.

2. **Claim III.** Identify the issue involved. Check only one. State additional issues in separate claims.

- ☐ Basic necessities ☐ Mail ☐ Access to the court ☐ Medical care
☐ Disciplinary proceedings ☐ Property ☐ Exercise of religion ☐ Retaliation
☐ Excessive force by an officer ☐ Threat to safety ☒ Other: Transfer to California Men's Colony East, S. P.

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

In Mecklenburg prison don't provide satisfactory health care after injury, nor post surgery for me on 2019, nor during my prostate cancer treatment (radiation) on 2025, nor handle emergencies appropriately. I'm afraid because I'm prone to a third heart attack, cardiology is to remote, patients die on transport, further more inhumane mistreat during transport due the long trips post surgery and under radiation treatment I remain in crowd dorm expose to contagion, complication, aggression etc. Meck's toxic environment provoke to me even emotional distress or suicidal thoughts, not even provide support group for cancer patients, resulting in cruel and unusual punishment, elder abuse, officers failed to provide protection from assault in dorms don't take reasonable prevention action, dorms remain open 15 hours a day, may enter intruder visitors plus roommates. This conditions may violate the Eighth Amendment even if has not yet caused any significant injury to a person, as long there is a sufficient imminent danger like exposing person unable to fight back in crowd dorms where spraying chemicals without control, second hand cigarette smoke, communicable illness, excessive noise, lack of enough oxygenation due poor ventilation, excessive cold by air conditioning provoking to me breath problems, chest pain etc due my diminished physically. Very often lockdown and/or modified restricted program for exercise, nor legal library nor recreational therapy nor gymnasium by supposed "cut operating cost" delaying supper time one hour or more often. Me like prisoner has the right of protection from threat, abuse, discrimination etc, custody and health-care not properly respond grievances about unsafe conditions, staff misconduct, threats by other inmate contaminate water, toxic environment, poor health-care sick building syndrome, mental ill misconduct etc and mistreat to disability old prisoner patients.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Metacarpal tunnel syndrome due the application of black-box on the handcuffs that provoke some difficult for write and move my fingers, chronic pain for inguinal hernia mesh, weakness, vulnerability that I don't believe that I to tolerate, to resist the next winter due the housing conditions, poor health-care and excessive cold climate.

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☒ No
- b. Did you submit a request for administrative relief on Claim III? ☐ Yes ☐ No
- c. Did you appeal your request for relief on Claim III to the highest level? ☐ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. I hope treat this claim like extension of Claim I and Claim II please

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

Health-care transfer to California Men's Colony-East in San Luis Obispo CA, with better health
care & adequate handle of emergencies, better house conditions with good & adequate ventilation
more tolerable climate, better health-care, high degree for my medical condition high-risk, General Acute Care
Hospital in prison hospice, more close of my family, small engine repair vacation and auto body, plus multiple rehabilitative
groups, Single cell status program to my safety and health protection, & officer trained to deal with sick people.
Furthermore that defendants pay the cost of court

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 6-15-2025
DATE


SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Jorge Palacios
v. Plaintiff

CASE NO. 2:25-cv-0114 JDP (PC)

- W. Vaughn
Defendants

PROOF OF SERVICE

- Deepthi Surinani
Defendant

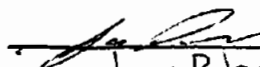
- E. Pedersen
Defendant

I hereby certify that on 6-15-2025 I served 2 copy of the attached
CIVIL RIGHTS COMPLAINT BY A PRISONER (First Amended)

by placing 2 copy in a postage paid envelope addressed to the persons herein after by depositing said
envelope in the United States Mail at United States District Court

Eastern District of California
Office of the Clerk
501 I Street, Suite 4-200
Sacramento, CA 95814-2322

I declare under penalty of perjury that the foregoing is true and correct


Jorge Palacios 228961